

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DARREN BROWNE, aka AARON  
BROWNE,

Plaintiff(s),

No. C 03-0047 PJH

v.

**ORDER TO SHOW CAUSE**

SAN FRANCISCO SHERIFFS  
DEPARTMENT, et al.,

Defendant(s).


Defendants' motion for summary judgment was filed on April 9, 2007. Plaintiff's opposition was filed on June 28, 2007, but apparently not served on any of the defendants. Before the court is defendants' reply and motion to strike plaintiff's opposition for his failure to serve it as required by Federal Rule of Civil Procedure 5(a), which requires parties to serve on all other parties every pleading or motion filed in the case subsequent to the original complaint.

In order to determine if defendants' motion should be granted or denied, it would assist the court to know why plaintiff did not serve the motion on defendants and whether plaintiff understands his responsibility to serve every paper that he files with the court on the opposing parties or their counsel. The court refers plaintiff to its earlier order of December 11, 2006, in which the court advised plaintiff of this requirement and specifically ordered him to file his opposition to the summary judgment motion and to serve it upon defendants, within thirty days of his receipt of the motion.

1 Accordingly, plaintiff is hereby ORDERED TO SHOW CAUSE why his opposition to  
2 defendants' motion should not be stricken. Plaintiff's written response must be filed with  
3 the court and served upon defendants no later than November 5, 2007. Failure to respond  
4 will result in the court striking the opposition, or dismissing the case for failure to prosecute,  
5 or other appropriate sanction.

6 **IT IS SO ORDERED.**

7 Dated: October 23, 2007



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PHYLLIS J. HAMILTON  
United States District Judge